IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE A.GOPAL REDDY**

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**WRIT PETITION NO : 14795 of 2004**

Between:

The B.Kothakota Ikya Grama Committee, B.Kothakota

rep. by its President
M.S.Kareem Sab, S/o. Baba Sab, R/o. Dr.No.10-21, Vyalavanka Street
B.Kothakota, Chitoor District.

**..... PETITIONER**

AND

1 The District Collector Chittoor, Chittoor District.
2 The Sub Collector, Madanapalle, Chittoor District.
3 The Mandal Revenue Oflficer, B.Kothakota, Chittoor District.
4 The Executive Engineer (R&B) Madanapalle, Chittoor District.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ order or direction declaring the action of the respondents 2 to 4 in proceeding with the process of construction of Mandal Revenue and Mandal Development Parishad Offices in S.No.856 of B.Kothakota Revenue Village, B.Kothakota Mandal, Chittoor District contrary to the Proceedings Roc B./134/2001, dated 8.7.2004 issued by the 3rd Respondent as arbitrary, illegal and unconstitutional and consequently direct the 1st respondent to consider the representation of the petitioner committee dated 2.8.2004 in

constructing the Mandal Revenue and Mandal Parishad Offices at B.Kothakota Revenue Village of Chittoor District.

**Counsel for the Petitioner:MR.MD.SALEEM**

**Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE**

**The Court at the stage of admission made the following ORDER:**

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

In this writ petition, the possession of the land taken by the respondent authorities for construction of Mandal Revenue and Mandal Development Parishad Offices in Survey No.856 of B.Kothakota Revenue Village, is assailed stating that when some of the villagers who have agreed to donate the land in Survey Nos.503, 1862, 682/2 and 519/1, instead of constructing the office buildings in the said land, the authorities have chosen the land in Survey No.856 is not at all suitable and convenient to the villagers. In view of the same, petitioner moved this Court by way of present writ petition.

It is for the authorities to select the land, which is suitable for construction of office buildings or Head Quarters at a particular location and it is not the matter to be adjudicated judicially. The Apex Court in ***J.R. Raghupathi V. State of A.P.*** held that shifting of Mandal Headquarters from one place to another is for administrative convenience and same cannot be the subject matter of judicial scrutiny by High Court. In the said judgment, it is categorically held as follows:

> *"We find it rather difficult to sustain the judgment of the High Court in some of the cases where it has interfered with the location of Mandal Headquarters and quashed the impugned notifications on the ground that the Government acted in breach of the guidelines in that one place or the other was more centrally located or that location at the other place*

*would promote general public convenience, or that the headquarters should be fixed at a particular place with a view to develop the area surrounded by it. The location of headquarters by the Government by the issue of the final notification under sub-s.(5) of S.3 of the Act was on a consideration by the Cabinet Sub-Committee of the proposals submitted by the Collectors concerned and the objections and suggestions received from the local authorities like the gram panchayats and the general public. Even assuming that the Government while accepting the recommendations of the Cabinet Sub-Committee directed that the Mandal Headquarters should be at place 'X' rather than place 'Y' as recommended by the Collector concerned in a particular case, the High Court would not have issued a writ in the nature of mandamus to enforce the guidelines which were nothing more than administrative instructions not having any statutory force, which did not give rise to any legal right in favour of the writ petitioners."*

The petitioner already made a representation to the first respondent-District Collector, Chittoor, and it is for the first respondent to consider the said representation and intimate the action if any, taken on such representation to the petitioner.

With the above observation, the writ petition is disposed of. No costs.

20th AUGUST, 2004.

Kvni

To

1 The District Collector Chittoor, Chittoor District.
2 The Sub Collector, Madanapalle, Chittoor District.
3 The Mandal Revenue Oflficer, B.Kothakota, Chittoor District.
4 The Executive Engineer (R&B) Madanapalle, Chittoor District.

5 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad.(OUT)

6 Two CD copies.